

REMARKS

Reconsideration of the subject application in view of the preceding amendments and the following remarks is respectfully requested. This amendment was previously filed on March 27, 2008. Applicant received a Notice of Non-Compliant Amendment mailed April 25, 2008, which indicated that the amendment was non-compliant because a complete listing of the claims was not present. Applicant has now included a complete listing of the claims. Specifically, the claims now indicate that original claims 1-24 have been canceled.

Claims 26-28, 30-32, 34 and 36-63 remain pending in this application. Claims 25, 29, 33 and 35 have been canceled without prejudice or disclaimer. Of these claims, 25 and 29 were canceled by the Examiner in accordance with MPEP §1214.06. Applicant reserves the right to prosecute the canceled subject matter in one or more co-pending applications.

Claims 26-28, 30-32, 34-40, 43-44, 46 and 52-63 have been amended to place the subject application in condition for allowance following a Decision of the Board of Patent Appeals and Interferences dated January 8, 2008 (See Appeal 2007-2273). In particular, the Board affirmed the rejections against independent Claims 25 and 29 and dependent Claims 26-28, 30-33, 35-39 and 52-63, but it reversed all outstanding rejections against Claims 34 and 40-51.¹

By this amendment, dependent Claim 34 has been amended so as to be presented in independent form by including the limitations set forth in original independent Claim 25 and intervening Claim 33. In addition, dependent Claim 40 has been amended so as to be presented

¹ The Office Action indicates that the rejection of Claim 32 was reversed. However, the Board actually maintained the rejection of Claim 32 over Bender (see Decision at pages 12-14 and 21), but there was a typographical error in the conclusion of the Decision at page 22 which indicated that Claim 32 was patentable. Thus, only the rejections against Claims 34 and 40-51 were reversed on Appeal.

in independent form by including the limitations set forth in original independent Claim 25.

Similarly, dependent Claim 46 has been amended so as to be presented in independent form by including the limitations set forth in original independent Claim 29.

Claims 26-28, 39, 41-45, 50, 52-57 and 62 now depend either directly or indirectly from currently amended independent Claim 40.

Claims 30-32, 36-38, 47-49, 51, 58-61 and 63 now depend either directly or indirectly from currently amended independent Claim 46.

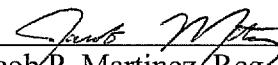
Currently amended independent Claim 34 stands alone.

It is respectfully submitted that the pending claims of the subject application as now presented, namely Claims 26-28, 30-32, 34 and 36-63 stand ready for allowance and such action is earnestly solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 69772(53763).

Respectfully submitted,

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